

REMARKS

The Office Action and the cited and applied references have been carefully reviewed. No claim is allowed. Claims 124-126 presently appear in this application and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

New claim 124 is supported in the present specification at page 16, second paragraph, to page 19, first paragraph, and in Example 3-3 of pages 46-47 and by previous claim 123.

New claim 126 corresponds to previous claim 122 with support for the new recitations found in the specification at page 20, first paragraph, to page 21, first paragraph, where it is disclosed that the monoclonal antibody of the present invention can be used in labeling immunoassay and fluorescence immunoassay, and in Examples 7 and 8 at pages 52-54. Example 7 discloses enzyme immunoassay in which a monoclonal antibody of the present invention was labeled with enzyme, and Example 8 discloses radioimmunoassay in which a monoclonal antibody of the present invention was labeled with a radioactive substance.

Claim 122 has been rejected under 35 USC §112, first paragraph as containing new matter, i.e., no support for the limitation that the immobilized monoclonal antibody is labeled.

This rejection is made moot by the cancellation of claim 122 without prejudice.

Claim 123 has been rejected under 35 USC §112, second paragraph, as being indefinite.

The examiner states that it is unclear how such a mouse liver cell is isolated in step i) of claim 123. This part of the rejection is made moot by the cancellation of claim 123 without prejudice. New claim 124 is not believed to be subject to this rejection because step i) is now recited as "providing mouse liver cells capable of producing IGIF or IL-18..."

The examiner further states that claim 123 is indefinite for the recitation of steps v) and vi) because a hybridoma produces an antibody, not IGIF or IL-18. This part of the rejection is also made moot by the cancellation of claim 123 without prejudice. New claim 124 is not subject to this rejection.

Claims 93, 99, 100, 104, 106, 107, 116 and 121 have been rejected under 35 USC §103(a) as being unpatentable over Nakamura et al., *Infect. Immun.* 61:64-70 (1993), and further in view of Campbell. This rejection is made moot by the cancellation of the rejected claims without prejudice.

In view of the above, the claims comply with 35 USC §112 and define patentable subject matter warranting their

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allowance. Favorable consideration and early allowance are earnestly urged.

Respectfully submitted,

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